UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA HUNTINGTON DIVISION

LESLIE MAY GREENE, individually and on behalf of her minor child, **B.G.**,

Plaintiff,

ν.

No. 3:21-cv-00520 Hon. Robert C. Chambers

THE PUTNAM COUNTY COMMISSION, et al.,

Defendants.

DEFENDANT JODI B. TYLER'S AND DEFENDANT MORGAN M. SWITZER'S $\underline{\text{MOTION TO DISMISS}}$

As demonstrated in Movants' Memorandum in Support, filed contemporaneously herewith and hereby fully incorporated herein, Plaintiff's Amended Complaint fails as a matter of law to state a claim against Movants for which any relief could be granted. Accordingly, Movants request the Court to **GRANT** their motion and to **ORDER** that Plaintiff's Amended Complaint against Movants be **DISMISSED WITH PREJUDICE**.

JODI B. TYLER and MORGAN M. SWITZER, By counsel,

/s/ Michael D. Mullins

STEPTOE & JOHNSON PLLC
Of Counsel

Michael D. Mullins (W. Va. Bar No. 7754) michael.mullins@steptoe-johnson.com
Robert L. Bailey (W. Va. Bar No. 8902) robert.bailey@steptoe-johnson.com
707 Virginia St. E. 17th Floor
P.O. Box 1588
Charleston, W. Va. 25326-1588
(304) 353-8000 (voice)
(304) 353-8180 (facsimile)

13559460v1 910740.00126

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA HUNTINGTON DIVISION

LESLIE MAY GREENE, individually and on behalf of her minor child, **B.G.**,

Plaintiff,

ν.

No. 3:21-cv-00520 Hon. Robert C. Chambers

THE PUTNAM COUNTY COMMISSION, et al.,

Defendants.

CERTIFICATE OF SERVICE

I hereby certify that on October 21, 2021, I electronically filed the foregoing document and the memorandum in support thereof with the Clerk of the Court using the CM/ECF system:

Russell A. Williams	Stephen P. New
NEW TAYLOR & ASSOCIATES	P. O. Box 5516
430 Harper Park Drive	Beckley, WV 25801
Beckley, WV 25801	304/250-6017
304-250-6017	Fax: 304/250-6012
Fax: 304-250-6012	Email: steve@newlawoffice.com
Email: Russell@newlawoffice.com	Counsel for Plaintiff
Counsel for Plaintiff	
Drannon L. Adkins	Wendy E. Greve
PULLIN FOWLER FLANAGAN BROWN &	PULLIN FOWLER FLANAGAN BROWN &
POE	POE
901 Quarrier Street	901 Quarrier Street
Charleston, WV 25301	Charleston, WV 25301
304/344-0100	304/344-0100
Fax: 304/342-1545	Fax: 304/342-1545
Email: dadkins@pffwv.com	Email: wgreve@pffwv.com
Counsel for Putnam County Defendants	Counsel for Putnam County Defendants

13559460v1 910740.00126

Johnnie E. Brown

PULLIN FOWLER FLANAGAN BROWN &

POE

901 Quarrier Street Charleston, WV 25301

304/344-0100 Fax: 304/342-1545

Email: jbrown@pffwv.com

Counsel for Hurricane Defendants

Jon D. Hoover

HOOVER ANDREWS

P. O. Box 249

Barboursville, WV 25504-0249

304/733-3400 Fax: 304/733-4888

Email: jdhoover@hooverandrews.com

Counsel for James Mark McCoy

/s/ Michael D. Mullins